

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

JUXTACOMM-TEXAS SOFTWARE, LLC §  
§  
PLAINTIFF, §  
§  
v. § Civil Action No. 6:10-CV-00011-LED  
§  
AXWAY, INC., et al, § JURY DEMAND  
§  
DEFENDANTS. §

**JOINT MOTION TO DISMISS**

Pursuant to Fed. R. Civ. P. 41(a)(2) and (c), Plaintiff JuxtaComm-Texas Software, LLC (“JuxtaComm”) and Defendant Axway, Inc. (“Axway”) hereby move this Court to dismiss in their entirety and with prejudice, JuxtaComm’s claims against Axway and Axway’s counterclaims against JuxtaComm, with each party to bear its own costs, expenses and attorneys’ fees.

Dated: November 17, 2010

Respectfully Submitted,

**Akin Gump Strauss Hauer & Feld LLP**

*R. Laurence Macon*

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R. LAURENCE MACON  
State Bar No. 12787500  
lmacon@akingump.com  
KIRT S. O’NEILL  
State Bar No. 00788147  
koneill@akingump.com  
MELANIE G. COWART  
State Bar No. 04920100  
mcowart@akingump.com  
300 Convent Street, Suite 1600  
San Antonio, Texas 78205-3732  
Telephone: (210) 281-7000  
Fax: (210) 224-2035

MICHAEL L. KIKLIS  
District of Columbia Bar No. 462690  
Robert S. Strauss Building  
1333 New Hampshire Avenue, NW  
Washington, DC 20036-1564  
Telephone: (202) 887-4000  
Fax: (202) 887-4288

– and –

**LOCAL COUNSEL**

T. JOHN WARD, JR.  
**WARD & SMITH LAW FIRM**  
P.O. Box 1231  
Longview, Texas 75606-1231  
Telephone: (903) 757-6400  
Fax: (903) 757-2323  
jw@jwfirm.com

**ATTORNEYS FOR PLAINTIFF  
JUXTACOMM-TEXAS SOFTWARE, LLC**

– and –

**FISH & RICHARDSON P.C.**

/s/ Kelly C. Hunsaker (R. Laurence Macon with  
permission)  
Kelly C. Hunsaker  
(admitted *pro hac vice*)  
(e-mail: [hunsaker@fr.com](mailto:hunsaker@fr.com))  
Jonathan J. Lamberson  
(admitted *pro hac vice*)  
(e-mail: [Lamberson@fr.com](mailto:Lamberson@fr.com))  
500 Arguello Street, Suite 500  
Redwood City, CA 94063  
Telephone: (650) 839-5070  
Facsimile: (650) 839-5071

Jonathan E. Singer  
(admitted *pro hac vice*)  
(e-mail: [singer@fr.com](mailto:singer@fr.com))  
60 S. 6<sup>th</sup> Street, Suite 3200  
Minneapolis, MN 55402  
Telephone: (612) 335-5070  
Facsimile: (612) 288-9696

W. Chad Shear  
Texas State Bar No. 24013493  
(e-mail: shear @fr.com)  
1717 Main Street, Suite 5000  
Dallas, Texas 75201  
Telephone: (214) 747-5070  
Facsimile: (214) 747-2091

**ATTORNEYS FOR DEFENDANT  
AXWAY, INC.**

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this Motion was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(b)(1). Pursuant to Fed. R. Civ. P. 5(a)-(d) and Local Rule CV-5(b)(2), all other counsel or record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by email and/or fax, on this the 17th day of November 2010.

R. Laurence Macon  
R. LAURENCE MACON